

Treaty Between the Government of the United States of America and the Government of Canada Concerning Pacific Salmon Basic Instrument for the Pacific Salmon Commission (PSC)

Basic Instrument

Treaty Between the Government of the United States of America and the Government of Canada Concerning Pacific Salmon, 1985.

Implementing Legislation

Pacific Salmon Treaty Act of 1985 (16 U.S.C. 3631).

Member States

The United States and Canada.

Pacific Salmon Commission (PSC) Headquarters

Pacific Salmon Commission
1155 Robson Street, Suite 600
Vancouver, British Columbia
Canada V6E 1B5

Executive Secretary: Mr. John Field
Telephone: (604) 684-8081
Fax: (604) 666-8707
Web address: <http://www.psc.org>
General email requests: info@psc.org

Budget

Each Party will contribute CAD \$1,879,636 to the approved Commission budget of CAD \$3,909,586 for Fiscal Year 2014-2015 (April 1, 2014 - March 31, 2015).

U.S. Representation

A. Appointment Process:

The appointment process for U.S. members of the PSC includes several unique features. The legislation implementing the treaty specifies: "The United States shall be represented on the Commission by four Commissioners who are knowledgeable or experienced concerning Pacific salmon, to be appointed by and serve at the pleasure of the President. Of these, one shall be an official of the U.S. Government who shall be a non-voting member of the U.S. Section; one shall be a resident of the State of Alaska and shall be appointed from a list of at least six qualified individuals nominated by the Governor of that State; one shall be a resident of the States of Oregon or Washington and shall be appointed from a list of at least six qualified individuals nominated by the Governors of those States; and one shall be appointed from a list of at least six qualified individuals nominated by the treaty Indian Tribes of the States of Idaho, Oregon, and Washington. Two of the initial appointments shall be for 2-year terms; all other appointments shall be for 4-year terms." Legislation also provides for the designation of an Alternate Commissioner for each Commissioner. In the absence of a Commissioner, the Alternate Commissioner may exercise all functions of the Commissioner.

B. Commissioners:

Mr. Phil Anderson (Washington Commissioner)
Director
Washington Department of Fish and Wildlife
600 Capital Way N.
Olympia, WA 98501

David Bedford (Alaska Commissioner)
2365 Ka See Ann Drive
Juneau, AK 99802-5526

W. Ron Allen (Tribal Commissioner)
Tribal Chairman
Jamestown S'Klallam Tribe
1033 Old Blyn Highway
Sequim, WA 98382

Bob Turner (Federal Commissioner)
National Marine Fisheries Service
510 Desmond Drive, S.E.
Lacey, WA 98503

C. Alternate Commissioners:

Mike Clark
United States Department of State
2201 C Street NW
Washington, DC 20520

Roy Elicker (WA/OR Alt. Com.)
Director
Oregon Department of Fish and Wildlife
3406 Cherry Avenue, N.E.
Salem, OR 97303

William Auger (Alaska Alt. Com.)
PO Box 9335
Ketchikan, AK 99901

McCoy Oatman (Tribal Alt. Com.)
Nez Perce Tribal Executive Committee
PO Box 305
Lapwai, ID 83540

Description

A. Mission/Purpose:

The PSC's mission is to serve as a forum for cooperation between the United States and Canada in the establishment and implementation of salmon fishery management regimes for the international conservation and harvest sharing of intermingling North Pacific salmon stocks. Implementation of the principles of the Pacific Salmon Treaty enables the two countries, through better conservation and enhancement, to "prevent overfishing and provide for optimum production; and provide for each Party to receive benefits equivalent to the production of salmon originating in its waters." The Commission also serves as a forum for consultation between the Parties on their salmonid enhancement operations and research programs.

B. Organizational Structure:

The Commission has a complex organizational structure which includes four regional Panels (Northern, Transboundary, Fraser River, and Southern) consisting of 23 U.S. Panel Members, 15 of whom are appointed by the Secretary of Commerce. Each Panel member on the Northern, Fraser River, and Southern Panels has an Alternate Member (16 total), 8 of whom are appointed by the Secretary of Commerce. The Northern Panel's stocks of concern are those originating in rivers between Cape Suckling in Alaska and Cape Caution in British Columbia. The Transboundary Panel's stocks of concern are from rivers that originate in British Columbia and flow to the sea through Southeast Alaska. The Fraser River Panel is the only panel with regulatory responsibility. It is responsible for stocks of sockeye and pink salmon originating in the Fraser River. The Southern Panel is concerned with stocks originating in rivers of Canada south of Cape Caution (not including Fraser River pink and sockeye salmon) and the rivers of Washington, Oregon and Idaho.

The Panels are responsible for providing advice to the Commission on the fishing regimes for the intercepting salmon fisheries in their respective regions, i.e., those in which one or both countries intercept salmon spawned in the other country. The fishing regimes in the Treaty are contained in Annex IV and must be renegotiated from time to time. This is done by reviewing technical data on annual fishing plans, regulations, and the salmon enhancement programs of each country. Based in part on the advice provided by the Panels, the PSC develops catch limits and related provisions to present to the two governments. These recommendations, which become effective upon approval by both governments, are then implemented by each country's domestic management authorities.

C. Programs:

During May 2008, the Pacific Salmon Commission successfully concluded two years of negotiations to update the fishing regimes contained in Chapters 1, 2, 3, 5, and 6 of Annex IV of the Pacific Salmon Treaty and recommended their adoption to the Governments of the United States and Canada. The Governments adopted the updated regimes through an exchange of diplomatic notes on December 23, 2008. These new Chapters will be in place from 2010 – 2018 and are intended to protect,

rebuild and provide for fair sharing of salmon stocks subject to the Pacific Salmon Treaty. The Fraser River sockeye and pink fishing regime, contained in Chapter 4 of Annex IV, is on a different expiration schedule than the other Chapters and was scheduled to expire at the end of 2012, but has now been extended through 2019.

The 2008 agreement maintains abundance-based fishing regimes, based on run strength, for the major salmon intercepting fisheries in the United States and Canada. Larger catches will be allowed when abundance is higher and catches will be constrained in years when abundance is down. These regimes are designed to implement the conservation and harvest sharing principles of the Pacific Salmon Treaty.

Remaining in place are two bilaterally-managed regional funds that were established in 1999: the Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund (northern fund) and the Southern Boundary Restoration and Enhancement Fund (southern fund). The funds are used to improve fisheries management and aid efforts to recover weakened salmon stocks. The United States contributed US\$75 million and US\$65 million to the northern and southern funds, respectively, over a 4-year period after the 1999 Agreement. The importance of habitat protection and restoration in achieving the long-term objectives of the Parties relative to salmon also remains a goal of the Treaty, as is a commitment by the two countries to improve how scientific information is obtained, shared, and applied to the management of the resource.

Overview of the Agreement's Current Fishing Regimes in Annex IV of the Treaty

Transboundary Rivers (Chapter 1): This fishing regime provides for sockeye, coho, chinook, and pink salmon management for several rivers that flow from Canada to the Pacific Ocean through the Alaskan panhandle, including the Stikine, Taku and Alsek Rivers. An attachment to this Chapter describes programs and associated costs for joint enhancement of sockeye salmon in the Taku and Stikine rivers.

Northern British Columbia and Southeast Alaska (Chapter 2): This Chapter addresses the management of sockeye, pink and chum salmon fisheries in southeast Alaska and northern British Columbia. It specifies how the fisheries will be managed to achieve conservation and fair sharing of salmon stocks that intermingle in the border area. The fixed catch ceilings contained in the expired agreements were replaced with abundance-based fishing regimes in 1999. These regimes allow harvests to vary from year to year depending on the abundance of salmon. Of particular note, because they resolve long-contentious issues, are agreements governing the harvest of sockeye in Alaska's purse seine fisheries near Noyes Island (District 104) and the gillnet fishery at Tree Point (District 101), and Canada's various marine net fisheries for pink salmon and its troll fishery for pink salmon in specific Canadian fishing areas.

Chinook Salmon (Chapter 3): Because they pass through fisheries regulated by many jurisdictions in both Canada and the United States, chinook salmon have been the focus of increasing concern and controversy in recent years. Although some chinook populations are relatively healthy, others remain listed by the U.S. Federal Government under the Endangered Species Act (ESA). The new chinook regime encompasses marine and certain freshwater fisheries in Alaska, Canada, Washington and Oregon. All chinook fisheries will be managed based on abundance. Two types of fisheries have been designated: (1) those that will be managed based on the aggregate abundance of Chinook salmon present in the fishery, and (2) those that will be managed based on the status of individual stocks or stock groups in the fishery. The 2008 agreement reduces the Chinook harvest in Alaska and off Canada's west coast of Vancouver Island by 15% and 30%, respectively, compared to the 1999 agreement that it replaced.

The agreement provides a degree of flexibility to allow management agencies to decide how best to distribute the harvest impacts across their various fisheries to reflect domestic fishery priorities, provided the over-all reductions are achieved. For some chinook stocks, the total reductions will have to be much greater than the general obligation, due to the need to provide extra protection for certain very depressed stocks. The general obligation will not apply to hatchery stocks or healthy natural stocks that are achieving escapement objectives and can support harvest. In addition to predetermined harvest schedules, the agreement contains provisions that specify conditions under which even greater harvest reductions will apply. These so-called "weak stock" provisions serve as a safety valve to afford additional protection to stocks that may fail to respond to the recovery programs.

Fraser River Sockeye and Pink Salmon (Chapter 4): The PSC concluded negotiations in February 2013 for a new fishing regime for Fraser River sockeye and pink salmon (Chapter 4, Annex IV of the Pacific Salmon Treaty). Domestic (Canadian) consultations were concluded in the spring of 2013 and the new agreement for 2014-2019 was approved by the governments of Canada and the United States.

Coho Salmon (Chapter 5): The coho agreement essentially provides a blueprint and specifications (biological criteria) for a conservation-based regime for border area fisheries in southern British Columbia and Washington State. The specifics of the regime were bilaterally developed and were agreed to in February 2002 and remain in effect under the May 2008 agreement. The fishing regime includes rules that establish harvest limits in specified border area fisheries. The rules are designed to limit exploitation rates on natural coho stocks to sustainable levels, taking into account all fisheries affecting the stocks, thereby improving the long term prospects of sustainable, healthy fisheries in both countries.

Southern British Columbia and Washington State Chum Salmon (Chapter 6): This chapter incorporates certain refinements to the provisions that trigger fisheries directed at chum salmon in the Strait of Georgia and Puget Sound. These refinements will have only a minor impact on the allocations of catches, but will improve the effectiveness of the regime. Additionally, at the request of the United States, Canada agreed to require the live release of chum salmon in certain of its net fisheries in its southern boundary areas at those times of the year when “summer chum,” a species recently listed as threatened under the ESA, may be present in the areas. Both countries agreed to collect better data relating to these fish.

The 2008 agreement can be found at the PSC website at <http://www.psc.org>.

2014 Update: The PSC held its Annual Meeting on February 11-14, 2014, in Vancouver, B.C.. At this meeting the PSC focused on issues relating to the implementation of the 2008 agreement.

Future Meetings: The next Commission Session of the PSC will be held October 21-23, 2014, in Vancouver, B.C. The PSC Post Season Meeting will be held January 12-16, 2015, in Vancouver, B.C. and the 30th Annual Meeting will be held February 9-13, 2015, in Portland, OR.

Staff Contacts

NOAA Fisheries:

Cheryl Ryder, U.S. Section PSC Coordinator
National Marine Fisheries Service, NOAA
7600 Sand Point Way
Seattle, WA 98115-0070
Telephone: (206) 526-4338
Fax: (206) 526-6534
Email: cheryl.ryder@noaa.gov

Department of State:

Mike Clark, Program Officer
Office of Marine Conservation (OES/OMC)
U.S. Department of State
2201 C Street, NW, Room 2756
Washington, D.C. 20520-7818
Telephone: (202) 647-7487
Fax: (202) 736-7350
E-mail: ClarkML2@state.gov